

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE CARDIZEM CD ANTITRUST
LITIGATION,

MASTER FILE NO. 99-MD-1278

MDL DOCKET NO. 1278

THIS DOCUMENT RELATES TO:


HONORABLE NANCY G. EDMUNDS

<i>Billy Joe Lightner, et al. v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-75070 (M.D. Ala. No. 2:99-T-754)	<i>Sunshine Pharmacy of NY v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73845 (E.D.N.Y. No. 99-CV-1641)
<i>Betnor, Inc. et al. v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73422 (N.D. Cal. No. 3:98-CV-3609)	<i>Joseph D'Esposito, et al. v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73713 (S.D.N.Y. No. 99-CV-2088)
<i>Aetna U.S. Healthcare, Inc., et al. v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73412 (N.D. Cal. No. 3:98-CV-4729)	<i>Shirlean Glover, et al. v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-74377 (W.D.N.C. No. 3:99-CV-00169)
<i>Galloway, Inc., et al. v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73871 (S.D. Cal. 99-CV-0645-TW)	<i>Eugenia Wynne Sams v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73190 (E.D. Tenn. No. 2:98-CV-348)
<i>Aetna U.S. Healthcare, Inc. v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-74262 (D.D.C. No. 1:99-CV-193)	<i>Larry S. Sizemore v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73345 (M.D. Tenn. No. 3:99-CV-42)
<i>Jan Gabriel v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73667 (N.D. Ill. No. 1:98-CV-7147)	<i>Albert Eirich v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73981 (E.D. Wis. 2:98-CV-1027)
<i>Charles Zuccarini, et al. v. Hoechst A.G., et al.</i> , E.D. Mich. No. 98-CV-74043	<i>United Wisconsin Services, Inc., et al. v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73666 (E.D. Wis. No. 99-CV-389)
<i>Aetna U.S. Healthcare, Inc. v. Hoechst A.G., et al.</i> , E.D. Mich. No. 99-CV-73239 (D. Minn. No. 0:99-CV-124)	<i>Marshall J. Ross v. Hoechst Marion Roussel, Inc., et al.</i> , E.D. Mich. No. 01-CV-70490 (D. Mass. No. 00-12312-JLT)
<i>State of New York, et al. v. Aventis, S.A., et al.</i> , E.D. Mich. No. 01-CV-71835	

**THIRD STIPULATION AND PROPOSED ORDER CONCERNING CERTAIN
CONSUMER AND THIRD PARTY PAYER CLAIM ADMINISTRATIVE COSTS**

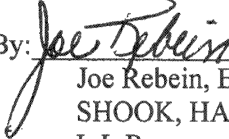
Plaintiffs and Defendants who are parties to the January 24, 2003, Settlement Agreement hereby stipulate to entry of the attached order.

STATE LAW CLASS PLAINTIFFS

By:  *Per Peter St. Phillip
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1/13/05*
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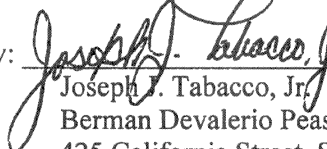
State Law Plaintiffs' Lead Counsel

**AVENTIS PHARMACEUTICALS INC.
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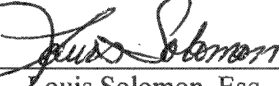
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Carderm Capital L.P.*

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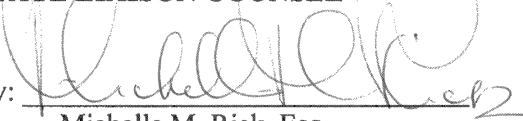
State Law Class Plaintiffs' Lead Counsel

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STATE LIAISON COUNSEL

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ORDER

At a session of said Court held on the date set forth below.

PRESENT: HONORABLE NANCY G. EDMUNDS
United States District Court Judge

IT IS ORDERED on this _____ day of _____, 2005, that

- (1) consumer administrative costs totaling \$69,542.97 as set forth in the invoices (Rust Consulting Invoice Numbers 24-1598, 24-1737, 24-1785, and 24-1891) of the Court-appointed settlement administrator Rust Consulting, Inc. have been incurred; and
- (2) third-party payer administrative costs totaling \$21,512.93 as set forth in the invoices (CCS Invoice No. Cardizem 0012 Rev. and CCS Invoice No. Cardizem 0013) of the Court-appointed settlement administrator Complete Claim Solutions, Inc. have been incurred; and
- (3) the costs set forth in the above referenced invoices are found to be reasonable expenses and are hereby authorized to be paid by the Escrow Agent as set forth in the Escrow Agreement entered on January 24, 2003.

HONORABLE NANCY G. EDMUNDS
United States District Court Judge

Paul A. Blaskis

From: Peter St. Phillip [pdstp@tmo.blackberry.net]
Sent: Thursday, January 13, 2005 12:16 PM
To: Paul A. Blaskis
Subject: Re: Updated and hopefully FINAL 3rd Stipulated Order for Fees - CARDIZEM

You have State Law Plaintiffs' approval to sign.

Peter D. St. Phillip, Esq.
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Page

Paul A. Blaskis

From: Joseph J. Tabacco, Jr. [jtabacco@bermanesq.com]
Sent: Thursday, January 13, 2005 10:33 PM
To: Paul A. Blaskis; Peter St. Phillip; Scott Dupree; Peter St. Phillip; jmatye@shb.com;
jrebein@shb.com; Isolomon@proskauer.com; Michelle Rick; Mitchell Gentile (E-mail);
mlazaroff@proskauer.com; pstphillip@ldbs.com; Robert Hubbard (E-mail); SDUPREE@shb.c
Subject: RE: Updated and hopefully FINAL 3rd Stipulated Order for Fees - CARDIZEM

Paul, These orders look to be appropriate, you are authorized to sign my name where required. Joe Tabacco

Paul A. Blaskis

From: DuPree, Scott E. (SHB) [SDUPREE@shb.com]
Sent: Monday, January 24, 2005 6:50 PM
To: Paul A. Blaskis; Peter St. Phillip; Peter St. Phillip; Matye, Joseph G. (SHB); Rebein, Joe (SHB); JTabacco@Bermanesq.com; Isolomon@proskauer.com; Michelle Rick; Mitchell Gentile (E-mail); mlazaroff@proskauer.com; pstphillip@ldbs.com; Robert Hubbard (E-mail)
Subject: RE: Updated and hopefully FINAL 3rd Stipulated Order for Fees - CARDI ZEM

Paul--

Sorry for my belated response. Attached is the message you sent around recently with the proposed submission to the Court requesting approval of pending Cardizem settlement invoices. This looks fine to me. You have our authorization to sign the stipulation on behalf of Aventis and Carderm. Please forward to us a copy of the fully executed final submission to the Court, as well as the signed order in the event the Court determines to sign it.

Message

Page 1 of 2

Paul A. Blaskis

From: Lazaroff, Michael S. [mlazaroff@proskauer.com]
Sent: Friday, January 28, 2005 5:52 AM
To: Paul A. Blaskis
Subject: RE: 3rd Stipulation and Proposed Order

I have reviewed these and they seem fine. You are authorized to sign on behalf of Andrx. Please send us a copy of the set of the documents submitted to Court.